

REMARKS

Claims 1-5, 8-10, 14, 21-29, 33-39, 41-43, and 47-55 were pending, examined, and rejected. Claims 56-73 were withdrawn. Claims 21 and 26-73 are cancelled without prejudice or waiver. Claims 1, 3-4, 8-10, 14, and 22-23 are amended in this response. New claims 74-78 are added. Claims 1-5, 8-10, 14, 22-25, and 74-78 are currently pending.

Election/Restrictions

Applicants have cancelled claims 56-73, which were identified as Invention II, drawn to a secure switch communication method and system, classified in class 726, subclass 11.

Rejections under 35 U.S.C. §103(a)

Claims 1-4, 14, 24-26, 28-29, 37, 41, 43, and 52-54 were rejected under Section 103(a) as being unpatentable over Dan *et al.*, U.S. Patent No. 6,148,290 (hereinafter, "Dan") in view of Epstein *et al.*, U.S. Patent No. 6,684,329 (hereinafter, "Epstein").

Claim 1. Applicants have amended to recite in part, receiving first and second profiles from first and second entities, where the profiles indicate electronic commerce information, including document exchange protocols, pertaining to the applicable entities. Claim 1 now further recites automatically generating an agreement based on the first profile and the second profile, where the agreement includes information pertaining to electronic commerce transactions between the first and second entities. Claim 1 also recites generating a first virtual private proxy and a second virtual private proxy and establishing secure connections between the virtual private proxies and the respective entities. A logical connection is then established between the first virtual private proxy and the second virtual private proxy and data at one or both of the virtual private proxies is monitored for violations of the agreement.

Applicants submit that claim 1 as amended recites elements not taught or suggested by the cited references. Neither Dan nor Epstein, alone or in combination, teach or suggest each of the claimed elements. The references do not, for example, teach or suggest establishing secure connections between two entities and two virtual private proxies and then establishing a logical

connection between the virtual private proxies in conjunction with providing profiles pertaining to electronic commerce information including document exchange protocols specifiers, and automatically establishing an agreement defining limits on data exchanged between the two entities via the virtual private proxies. Nor do the references teach or suggest, as far as Applicants can determine, profiles conveying electronic commerce information including document exchange protocol information.

Analogous elements are recited in each of the pending independent claims. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the Section 103(a) rejections of independent claims 1 and 14 and their respective dependent claims.

In addition, further patentable distinctions are enumerated in the dependent claims as amended and in the newly presented claims. For example, newly presented claim 75 recites the document exchange protocol as being compliant with EDI. New claim 76 recites the virtual private proxy as a logical access point at a secure switch while new claim 77 recites the virtual private proxy as a logical representation of a hard wired access point at a secure switch for a fiber optic connection.

The rejection of claims 5 and 47 under Section 103(a) as being unpatentable over Dan in view of Epstein and further in view of Reed *et al.*, U.S. Patent No. 6,266,704 (hereinafter, "Reed") is moot in view of the cancellation of claim 47 and the amendments to claim 1.

The rejection of claims 5 and 47 under Section 103(a) as being unpatentable over Dan in view of Epstein and further in view of Charles P. Pfleegee, "Security in computing", 2nd edition, 1996, ISBN: 0133374866 (hereinafter, "Pfleegee") is moot in view of the cancellation of claim 47 and the amendment of claim 1.

The rejection Claims 38-39 and 53 under Section 103(a) as being unpatentable over Dan in view of Epstein and further in view of Ashdown *et al.*, U.S. Patent No. 6,608,276 (hereinafter, "Ashdown") is moot in view of the cancellation of the rejected claims.

The rejection of claims 8-10, 21-23, 27, 33-36, 42, and 55 under Section 103(a) as being unpatentable over Dan in view of Epstein and further in view of Dan *et al.*, U.S. Patent

Application Publication No. 2002/0178103 (hereinafter, "Dan 103") is moot in view of the cancellation of claims 27, 33-36, 42, and 55 and the amendments to claims 1 and 14.

The rejection of claims 48-51 under Section 103(a) as being unpatentable over Dan in view of Epstein and Pfleeger, and further in view of Dan 103 is moot in view of the cancellation of the rejected claims.

The rejection of claims 48-51 under Section 103(a) as being unpatentable over Dan in view of Epstein and Reed, and further in view of Dan 103 is moot in view of the cancellation of the rejected claims.

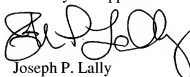
CONCLUSION

Applicants believe that this paper contains a reply to each ground of rejection set forth in the Office Action and that the claims as presented herein are in condition for allowance. Applicants respectfully request early notice of allowance for all pending claims.

Applicants have submitted the requisite fees with this response; however, the Commissioner is hereby authorized to charge any other fees necessary, or credit any overpayment, to the Deposit Account of Jackson Walker L.L.P., No. 10-0096.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.236.2019.

Respectfully submitted,
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